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1 straight-through processing. They call it STP.

2 Q. Is that a proprietary Streamingedge --

3 A. Exactly. And, also, there are also like  
4 software development I was told I may be required  
5 from time to time to test them to see the functions  
6 and everything else. And, also, I remember very  
7 well what I was also told that time was -- I would  
8 also have to brush up on my financial information  
9 on -- it's not just software; it is also  
10 finance-based, so you have to understand. So one  
11 is not more important than the other. I remember  
12 exactly, that was the phrase they were telling me  
13 too, that once you come in, we would have to get  
14 you a quick training on exactly what we offer and  
15 everything there.

16 Q. All right. And after you had the  
17 interview with Mr. Okubo, did you interview with  
18 anybody else?

19 A. On that same day?

20 Q. Or at any other time.

21 A. Let me see. No, I think it was -- it  
22 was not -- it was not an interview anymore.  
23 It was a salary discussion.

24 Q. You had the salary discussion with whom?

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1 A. Mr. Okubo.

2 Q. And did you have the salary discussion  
3 with Mr. Okubo on the day that you met with him  
4 individually following that group meeting, or did  
5 the salary discussion happen at some other time?

6 A. It was after the group meeting. Maybe  
7 several hours after the group meeting I was told to  
8 leave and come back.

9 Q. Right.

10 A. And once I had that discussion, I think he  
11 told me that he had to get an approval of some --  
12 so at some point towards the end of the day before  
13 there was an agreement, I also met with HR  
14 personnel.

15 Q. Who did you meet within HR?

16 A. I don't recall the lady's name.

17 Q. Was it at the Tradition offices?

18 A. That is correct. Tradition, by the way,  
19 it's housed in the same office area, the same  
20 fourth floor as Tradition, so it's housed within --  
21 it's an office within an office.

22 Q. Right. When you say "it's an office  
23 within an office," do the Streamingedge -- are the  
24 Streamingedge employees at time, were the

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1 Streamingedge employees headquartered in one place  
2 within the fourth floor or somewhere else?

3 A. I'm sorry. I don't get it.

4 Q. Let me rephrase it. So Tradition,  
5 during the time period you worked for them, was  
6 located on the fourth floor at 75 Park Place?

7 A. Uh-huh.

8 Q. And was Streamingedge also located on  
9 the fourth floor at 75 Park Place?

10 A. Yes.

11 Q. So to enter the offices of  
12 Streamingedge, would you walk through some type of  
13 door or sets of doors on the front has the word  
14 "Streamingedge"?

15 MR. MCDONALD: Could we just get a time  
16 frame?

17 Q. During the time that you were employed  
18 by Streamingedge.

19 A. That said Streamingedge?

20 Q. Yes.

21 A. I don't recall, but there was a specific  
22 location. It depends on what you mean by that,  
23 because if you're asking me for a physical area  
24 where you can call Streamingedge area within the

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1 setting, within the whole fourth floor, yes, there  
2 is an area, which we jokingly called the command  
3 center.

4 Q. Command center?

5 A. Right. And also --

6 Q. I'm sorry to interrupt you. When you  
7 say "command center," does that mean the  
8 Streamingedge command center or something else?

9 A. Yes, it meant that's where authority --  
10 it's also -- at the head of it is where Wilson's  
11 office is located, Mr. Nweke's office is located,  
12 so, in essence, it's looked upon as where  
13 directions come from.

14 Q. And --

15 MR. MCDONALD: Can you finish your prior  
16 answer. I think you were in the middle of an  
17 answer.

18 A. I'm sorry. Can you read the previous  
19 question for me.

20

21 (The requested testimony was read back.)

22

23 MR. MCDONALD: Were you complete with  
24 your answer?

1           A.     The question was if there was some kind  
2 of physical area where. Yes, there's limitations  
3 as to where Streamingedge area within the whole  
4 office setting is, but it does not mean that's the  
5 only limitations as to where we report for work.  
6 You understand? So we're dispersed throughout the  
7 trading floor, depending on what desk you support  
8 for easy access by some of the users, so we -- yes,  
9 the office is there; Wilson's office is back there;  
10 programmers' and developers' office is in that  
11 area. However, the support people and some other  
12 Streamingedge employees are located throughout the  
13 fourth floor.

14           Q.     And when you say "located throughout the  
15 fourth floor," so you worked primarily for certain  
16 desks; would that be accurate?

17           A.     I worked for every desk that has  
18 something -- that Streamingedge has something to do  
19 with deployed in it.

20           Q.     Okay. Did you have a workstation or a  
21 cubicle or something on the fourth floor?

22           A.     Yes.

23           Q.     And where was that located?

24           A.     It depends on what time. It depends on

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1 what period you are referring to, because I've been  
2 moved from one place to the other.

3 Q. Okay. So after you were originally  
4 hired by Streamingedge --

5 A. Yes, sir.

6 Q. -- did you receive a cubicle or a  
7 workstation or someplace where you primarily sat?

8 A. Yes.

9 Q. And where was that?

10 A. Like I said to you, sir, at different  
11 locations at different periods.

12 Q. No, I understand. So immediately after  
13 you became employed, where did you receive your  
14 first office cubicle, whatever your location?

15 A. I was never -- when you refer to  
16 cubicle, what do you mean by that, sir?

17 Q. A desk, a chair, a computer, a  
18 telephone, and some little walls that probably  
19 don't go all the way up to the ceiling.

20 A. There is no such thing. It's a trading  
21 floor. There is no cubicle. Basically it's -- I  
22 think this is an accurate description of what most  
23 of the desk look like. It's usually a scene of a  
24 table that allows up to 20 people to sit at the

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1 same time, and where there's chairs surrounding it,  
2 so as long as there's a port that you can plug your  
3 computer in, you just sat. So when I first started  
4 there, I used to sit right in the middle, in the  
5 middle of the trading floor, I would say. I can't  
6 give an accurate description, so I would have to  
7 say 20 feet in or --

8 Q. You don't have to.

9 A. But I sat there among the brokers.  
10 That's primarily where I reported every morning.

11 Q. Okay. And when you say you reported  
12 every morning, when you first started there, were  
13 you required to sign in when you came to work?

14 A. No.

15 Q. Were you required to let anybody know  
16 that you had arrived at work?

17 A. Yes. Part of what I did entailed that  
18 you knew I was at work. It was that critical to  
19 the operation of Streamingedge at that time,  
20 because when I arrived there was a specific e-mail  
21 that had to go out by 7:00 or 7:45 or 7:00 every  
22 morning.

23 Q. An e-mail --

24 A. There was no way around it. You had to

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1 be there after your inspections, after your morning  
2 checks you would call it, you have to check -- I'm  
3 using that as an indication of how you would know  
4 that I'm there.

5 Q. Right.

6 A. So you would have to check the employee  
7 systems to make sure -- basically, all the live  
8 systems that we have deployed, which are realtime  
9 trading systems, both from the server side to the  
10 user side. We have to also go around different  
11 desks and check to make sure that once we input --  
12 there are some tests that I have to conduct  
13 starting at 6:15 in the morning and has to be  
14 completed by a certain period of time.

15 So once you were done, there was an  
16 e-mail sent out, called a morning check e-mail,  
17 which indicates that these systems we are going to  
18 be using for the trading day have been checked and  
19 trading day can proceed.

20 Q. All right. And the trading day would  
21 begin at what time?

22 A. 7:00.

23 Q. And would the trading day end at any  
24 particular time?



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1           A.    Depends. But most of the time they  
2 usually end at -- depends on what securities has  
3 been traded. Usually, there are also -- it depends  
4 on what region you are trading with. There are  
5 times where we have people, for instance, on the  
6 treasury or some other desk that traded with people  
7 located in a different time zone, so even while all  
8 the other people -- while majority might have left,  
9 they tend to hang around to maybe like 6 p.m.

10          Q.    And when you say "they," you're talking  
11 about the traders?

12          A.    The brokers, yes.

13          Q.    Okay. I'm sorry. The brokers employed  
14 by Tradition?

15          A.    Exactly.

16          Q.    Okay. Did -- did Streamingedge, during  
17 the time that you were employed there, have any  
18 regular business hours?

19          A.    I'm sorry. Can you rephrase that so I  
20 understand exactly.

21          Q.    Sure. Did the Streamingedge company  
22 offices open at any particular time of day during a  
23 typical trading day?

24          A.    Yes.

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1 Q. And at what time?

2 A. 6:00 in the morning.

3 Q. And did the Streamingedge offices close  
4 at any particular time of day during a typical  
5 trading day?

6 A. Okay. If you're asking me about close,  
7 I think the understood -- the closest answer are  
8 [several] to me, sir. I'm trying to -- I don't  
9 want to guess what you mean by "close."

10 Q. Okay. So was there a particular time of  
11 day when the administrative assistants employed by  
12 Streamingedge would go home at the end of a  
13 particular trading day?

14 A. Yes, 5.

15 Q. And was there a particular time of day  
16 when the software developers would go home at the  
17 end of a typical trading day?

18 A. 5:00.

19 Q. And was there a particular time of day  
20 when the systems support analysts would go home at  
21 the end of a typical trading day?

22 A. Yes, 5.

23 Q. And were there any people employed by  
24 Streamingedge during the time that you were

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1 employed there who would typically go home at any  
2 time other than 5:00?

3 A. I don't know of a lot of people that  
4 went home past 5. I know that I spent an awful lot  
5 of time going home at 7 p.m., sometimes 6:30 p.m.  
6 very well, because --

7 Q. When you say you, can you tell me  
8 approximately beginning when you typically went  
9 home after 6 p.m. or even 7 p.m., and if at any  
10 point in time your practice of leaving after 6 or 7  
11 p.m. changed in any way?

12 MR. MCDONALD: Note my objection to the  
13 form, but answer if you can.

14 MR. REISMAN: Why don't we read it back,  
15 because I want to make sure he understands.  
16 If you don't, tell me.

17  
18 (The requested testimony was read back.)

19  
20 A. When you say "my practice" --

21 MR. MCDONALD: Tai, do you understand the  
22 question or not?

23 THE WITNESS: I think generally what I  
24 understand it to be.

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1 MR. MCDONALD: No, Tai, that wasn't --  
2 the issue is do you understand it or not. If  
3 not, we have to have it rephrased. Do you  
4 understand the question.

5 THE WITNESS: I think it's in two parts.  
6 I would refer taking one at a time, sir.

7 Q. Sure. Why don't we do it this way: I  
8 believe you indicated earlier, correct me if I'm  
9 wrong, that there were many times where you would  
10 go home after 6 or 7 p.m.; is that accurate?

11 A. Yes, sir.

12 Q. So beginning in approximately what month  
13 or year would you typically go home after 6 or 7  
14 p.m.?

15 A. From the day one I started.

16 Q. And when did that end?

17 MR. MCDONALD: Objection to form.

18 MR. REISMAN: I'll rephrase it.

19 Q. Did there come a time, if at all, when  
20 your schedule, for lack of a better word, of  
21 leaving the Streamingedge office after 6 or even 7  
22 p.m. ended?

23 A. I think towards -- maybe at one point  
24 when I was sick, maybe when I came back from my

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1 sick leave, but it was only for -- I think it was  
2 towards my employment at Streamingedge -- maybe on  
3 occasions where there was something I needed also.  
4 You were saying that -- let me get this right, sir.  
5 If I recall times where I left before 6 p.m.,  
6 you're saying, sir. There were times where maybe I  
7 had to do something for Mr. Nweke, maybe -- which  
8 involved leaving even during a business day, and if  
9 it dragged much past closing hours, there would be  
10 no reason to come back to the office, unless I left  
11 my bag at the office. And there are rare  
12 occasions, but I think, like, most of the time,  
13 most of the time, I have never left that office  
14 before 6 p.m.

15 Q. All right. So would it be fair to say  
16 then that between the time that your employment at  
17 Streamingedge began and the time that it ended, you  
18 almost never left the Streamingedge office to go  
19 home from work after 6 p.m.?

20 MR. MCDONALD: Objection to form. That  
21 misstates the testimony.

22 THE WITNESS: You said before 6 p.m.

23 MR. MCDONALD: No. Read the question  
24 back if you're not sure.

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1  
2 (The requested testimony was read back.)  
3

4 A. I almost never leave to go home after 6  
5 p.m.; that's a correct statement. What I'm saying  
6 is -- let me rephrase that. What I'm saying is --  
7 I don't want to say it exactly. I will answer it  
8 the way I understand it to be. I think I've said  
9 that before, and I'm going to reiterate that again.  
10 Most of my employment duration while I was at -- my  
11 tenure at Streamingedge, it is -- I rarely go home  
12 before 6 p.m. It's rare that I go home before 6  
13 p.m. A good portion of my employment while I was  
14 there meant I typically leave after 6 p.m.  
15 Sometimes it dragged on to 8.

16 Q. When you had the interview with Mr.  
17 Okubo that we were talking about a few minutes  
18 earlier, did you and he have a discussion about  
19 what your salary would be?

20 A. Yes, we did.

21 Q. And did he tell you what your salary  
22 would be?

23 A. Yes, he did.

24 Q. And what did he tell you?

1           A.    We agreed upon was \$60,000 a year.  When  
2   you mean "salary," what else -- you mean just the  
3   monetary value or --

4           Q.    Well, let me just start with that.  In  
5   other words, did he tell you how much you would be  
6   paid per year by the company?

7           A.    Yes.

8           Q.    And you're saying that that was a salary  
9   of \$60,000 per year?

10          A.    That is correct.

11          Q.    Okay.  Did he indicate to you ever that  
12   you would be paid by the hour?

13          A.    At some point he said that we -- he said  
14   we are salary, but then you're not expected to work  
15   more than 40 hours.  Our operation is 40 hours a  
16   week.  And that we also do compensate handsomely  
17   when it comes to bonuses based on your performance.

18          Q.    Well, let's just talk about the salary  
19   for now.  The discussion about the \$60,000 per year  
20   salary, did that discussion happen when you had the  
21   one-on-one interview with Mr. Okubo after you had  
22   the group meeting with the other --

23          A.    Right.

24          Q.    -- people?

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1           A.     This was after Mr. Okubo went and  
2     checked. He said I had to get authorization,  
3     because I'm not going to be able to offer you --  
4     the first line of the question was what are you  
5     asking for, and I would not be able to offer you  
6     what you're asking for.

7           Q.     And did you tell Mr. Okubo what you were  
8     asking for?

9           A.     I believe so.

10          Q.     How much did you tell him you wanted?

11          A.     Either I believe around -- I think it  
12     was around 70 grand, 70 a year. But he said to me,  
13     I am not going to be able to make a determination  
14     on this. I would have to check with Mr. Nweke.

15          Q.     And he said that during that first  
16     one-on-one meeting?

17          A.     Yes. And then after he said, hold on,  
18     just wait for me. He went and then he came back,  
19     and I think when he came back Mr. Nweke followed  
20     him into the room.

21          Q.     And when you -- now, do you specifically  
22     recall Mr. Nweke coming back into the room on the  
23     same day that you and Mr. Okubo had that one-on-one  
24     meeting?



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1 A. Yes.

2 Q. And at some point in time, did you and  
3 -- did you, Mr. Okubo, and Mr. Nweke have a  
4 discussion about what your annual rate of pay would  
5 be?

6 A. I'm sorry. Can you rephrase that  
7 question, sir.

8 Q. Do you not understand it?

9 A. I'm trying to understand. I think it's  
10 -- you said -- I think I already answered it  
11 before; that's why I was --

12 Q. Okay. What I'm asking you is this: Did  
13 there come a time when in the presence of yourself  
14 and Mr. Okubo, Mr. Nweke told you, and this is,  
15 again, before you began your employment at  
16 Streamingedge, that you would be paid a salary of  
17 \$60,000 per year?

18 A. When we agreed upon it, yes.

19 Q. And when you say "when we agreed upon  
20 it," were you, Mr. Okubo, and Mr. Nweke in the room  
21 together when it was agreed that you would receive  
22 a starting annual salary of \$60,000?

23 A. Yes.

24 Q. And did you notice whether anybody took

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1 any notes about what the salary would be?

2 A. I don't remember, but what I can tell  
3 you is that Mr. Okubo was adamant that he had to  
4 check to make sure that it was okay with Mr. Nweke.  
5 So I expected him to come back to talk to me by  
6 himself, but he was followed into the room by Mr.  
7 Nweke.

8 Q. And other than with the three of you,  
9 was anybody else there in the room?

10 A. Not that I can recall right now.

11 Q. Did you take any notes of any kind  
12 either during or at some point after that meeting?

13 MR. MCDONALD: Objection --

14 A. No.

15 MR. MCDONALD: -- to form.

16 A. No.

17 Q. Did you ever send any communication to  
18 Mr. Okubo or Mr. Nweke at any point in time, either  
19 during or following this conversation that you've  
20 indicated that you, Mr. Nweke, and Mr. Okubo had?

21 A. I don't recall, but there might have  
22 been a phone call to say thank you for bringing me  
23 on board.

24 Q. Okay. Now, in addition to the

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1 discussion that -- where you say that there was  
2 some type of agreement before you were brought on  
3 board that would you start at \$60,000 per year,  
4 were there any other discussions that occurred  
5 between Mr. Nweke, Mr. Okubo, and yourself during  
6 the time when the three of you were in that room --

7 A. Right.

8 Q. -- having the discussion that you just  
9 told me about?

10 A. I think we talked about the whole  
11 package in terms of benefit package, health  
12 insurance, the 401(k). We also talked about which  
13 department I would be working.

14 Q. And when you say "which department" --

15 A. Systems support department. The other  
16 part also was they were telling me the nature of  
17 the industry and how -- they were preparing me that  
18 I would have to be very calm in terms of dealing  
19 with broker personalities, that it's a very irate  
20 environment, meaning people that -- so it was more  
21 like a refresher trying to prepare me when I'm  
22 coming in. It's also -- they also talked about my  
23 starting time and closing hour. Meaning, time that  
24 I would start in the morning and I would -- so a

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1 lot of what they also talked about was a lot of our  
2 software here is proprietary, so you would have to  
3 learn quickly. Once you get on board, you would  
4 have to pick up as soon as you get on board,  
5 because everything else that we have here is  
6 closely held proprietary trade secret. So you will  
7 not deal with these things in other place. So once  
8 you start, I think you will be on the trading  
9 floor, you will be helping.

10 So it was more like a verbal refresher,  
11 what my job would entail after the interview with  
12 the group.

13 Q. Okay. And so all these discussions that  
14 you've just told me about, are you saying that all  
15 of those discussions happened when you and Mr.  
16 Nweke and Mr. Okubo were together?

17 A. Yes.

18  
19 (An off-the-record discussion was held.)

20  
21 BY MR. REISMAN:

22 Q. At some -- so other than this discussion  
23 that you've indicated that you had first with Mr.  
24 Okubo alone and then with both Mr. Okubo and Mr.

1 Nweke, were there any discussions about your job  
2 circumstances that occurred -- withdrawn.

3 Other than the discussion that we just  
4 talked about that occurred between Mr. Hideki,  
5 Okubo, then yourself, Mr. Nweke, and Mr. Okubo, did  
6 -- were there any other discussions that happened  
7 at any other time between yourself and those two  
8 individuals prior to the time that you were offered  
9 a job at Streamingedge?

10 MR. MCDONALD: Objection to form, but  
11 answer if you understand the question.

12 A. If I spoken to them prior to them hiring  
13 me?

14 Q. Right. Any other discussions that the  
15 three of you had together prior to you being hired?

16 A. Specifically the three of us?

17 Q. Yes.

18 A. No, I think maybe -- specifically, no.

19 Q. All right. Did there come a time when  
20 you received any type of a written offer in  
21 writing?

22 A. Yes.

23 Q. And, approximately, when did you receive  
24 that?

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1 A. My second or third day on the job when I  
2 already started working.

3 Q. So you're saying that -- how much time  
4 went by between the time that you had the group  
5 interview and then the discussion with Mr. Okubo  
6 and then with Mr. Okubo and Nweke?

7 A. Same day.

8 Q. No. No.

9 A. Sorry.

10 Q. The date that you actually started work.

11 A. I apologize.

12 MR. MCDONALD: Listen carefully, and let  
13 him finish.

14 A. I'm sorry. Can you repeat that.

15

16 (The requested testimony was read back.)

17

18 A. I think you're referring to my interview  
19 date and the day I actually started working.

20 Q. Yes.

21 A. It must have been several weeks.

22 Q. Okay. And when you say that it must  
23 have been several weeks, you're basing that on what  
24 information?

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1           A.    From -- this is just from rough  
2           recollection because I know that even -- after I  
3           gave my employment notice leaving my previous  
4           employer.

5           Q.    And that notice was given to whom, I'm  
6           sorry?

7           A.    It was given to my manager at the time.

8           Q.    At what company?

9           A.    At DecisionOne.

10          Q.    At the time you gave the notice to your  
11          manager at DecisionOne, were you a full-time  
12          employee there?

13          A.    I might have been, because I think once  
14          my -- I might have been. I might have been, yes.

15          Q.    When you say that you might have been,  
16          do you recall specifically that you were a  
17          full-time employee at DecisionOne at the time that  
18          you gave notice to your manager that you were  
19          leaving that company?

20          A.    Right. I think from -- I can't say  
21          that, because from a consultant's perspective, you  
22          make your own hours. You're not -- sometimes --  
23          how do I say this -- you can say full time, you  
24          know, but I wouldn't necessarily call it full time

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1 at the time. I was -- there are times where most  
2 of the time it's usually sometimes 40, depending on  
3 what project I'm working on for that amount of  
4 time, so they kept me busy at the time, so you can  
5 say full time.

6 Q. So -- but -- but when you were employed  
7 by DecisionOne as a consultant, were you paid  
8 hourly or on some other basis?

9 A. I was paid both hourly and also based on  
10 maybe some type of expenses accrued along the way.

11 MR. REISMAN: All right. Why don't we  
12 take a break.

13 MR. MCDONALD: Okay.

14  
15 (A lunch recess was taken.)  
16  
17  
18  
19  
20  
21  
22  
23  
24



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1 A F T E R N O O N S E S S I O N

2 (Time noted: 2:41 p.m.)

3  
4 TAIWO OLORODE, resumed and testified as follows:

5 CONTINUED EXAMINATION

6 BY MR. REISMAN:

7 Q. In the approximately three months prior  
8 to the time that you stopped working for  
9 DecisionOne Incorporated, can you tell me  
10 approximately how much money you made on a weekly  
11 or monthly basis or whatever interval works for  
12 you?

13 A. It fluctuates.

14 Q. I'm sorry?

15 A. It fluctuates.

16 Q. It fluctuated?

17 A. Yes.

18 Q. Okay. Was there a typical amount that  
19 you made on a weekly basis?

20 A. Before taxes or after taxes?

21 Q. Well, I guess before taxes.

22 A. I can't put a figure on it. It's like  
23 around 1200 --

24 Q. \$1200 a week?

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1 A. -- or less. It depends, but I think the  
2 highest was 1200.

3 Q. And what was the lowest, approximately?

4 MR. MCDONALD: Just during that  
5 three-month period?

6 MR. REISMAN: Yes.

7 A. I can't recall, but I think it's  
8 probably maybe 600. It depends.

9 Q. Were you -- what was your hourly rate of  
10 pay during the time you were a consultant at  
11 DecisionOne Incorporated?

12 A. I don't recall exactly.

13 Q. Do you know if it was more or less than  
14 \$40 an hour?

15 A. Probably less.

16 Q. Do you know if it was more or less than  
17 \$30 an hour?

18 A. Probably less.

19 Q. Going back briefly to this meeting that  
20 you say happened first with Mr. Okubo and then with  
21 yourself, Mr. Okubo, and Mr. Nweke --

22 A. Yes, sir.

23 Q. -- between the time that that discussion  
24 happened and the time that you began working at

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1 Streamingedge, did you have any more in-person  
2 meetings with anyone?

3 A. In person?

4 Q. Yes.

5 A. I don't think it was a meeting per se.  
6 It was just an introduction to HR personnel at the  
7 time.

8 Q. And when did you have that meeting with  
9 the HR personnel in relation to the date that you  
10 started working at Streamingedge?

11 A. The same day I had an interview. The  
12 same day my interview was concluded, after the  
13 salary portion of the discussion was done, was when  
14 I was then walked around the hallway. It was less  
15 than two minutes, oh, hi, this is Taiwo, our new  
16 hire.

17 Q. Okay.

18 A. You will be starting soon, along that  
19 line. Just said welcome aboard and shook my hand,  
20 and that was it.

21 Q. Fine. And did anybody in particular  
22 walk you over to the HR office?

23 A. It was along the way while I was with  
24 Hideki, walked out of the room, it was a very -- I

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1 think we ran into the HR personnel and just say,  
2 oh, hi. It was very short and brief, and we  
3 proceeded to walk away. And Hideki was the one I  
4 continued with.

5 Q. So did Hideki actually stay in the HR  
6 office while you spoke to the people at HR?

7 A. This was not in the office. It was a  
8 discussion along the hallway.

9 Q. Okay. And do you recall the name of the  
10 person or people from HR that you spoke to during  
11 this discussion?

12 A. It was a middle-aged woman, but I  
13 suspect it must be Lyudmilla at the time, because I  
14 remember that it was, because Lyudmilla was the HR  
15 manager for Tradition at the time.

16 Q. And so do you -- was it Lyudmilla that  
17 you spoke with along with Hideki that day?

18 A. You know what, I'm inclined to think  
19 she's the one -- I'm inclined to think that she's  
20 the one that I spoke with, I think.

21 Q. And was her last name -- do you recall  
22 her last name being something like Faymann,  
23 F-A-Y-M-A-N-N; do you recall?

24 A. Yeah.

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1 Q. All right. And can you just describe  
2 her appearance briefly.

3 A. She's about five-foot-five.

4 MR. MCDONALD: Objection to the form. Do  
5 you mean the person that he ran into the  
6 hallway, or do you mean Lyudmilla Faymann?  
7 Because it's not clear.

8 MR. REISMAN: I understand.

9 Q. I guess what I'm trying to understand  
10 is: Do you specifically recall speaking with  
11 Lyudmilla Faymann in the hallway on the day that we  
12 were talking about?

13 A. I don't specifically recall, but I know  
14 that it was a woman about her size, but I think  
15 eventually what made me conclude that it must be  
16 her was that once I started working there, I don't  
17 recall any other person around that age or her  
18 build, that particular, so it must be her. I was  
19 just --

20 Q. I understand.

21 A. -- too happy to be starting working  
22 there, so I didn't --

23 MR. MCDONALD: You've answered the  
24 question.

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1 THE WITNESS: Okay.

2 Q. So just, if you could, give me the  
3 physical description of the woman that you saw in  
4 the hallway on the day that we've been discussing.

5 A. Five-foot-five possibly; either dark  
6 brunette or dark hair color; skin tone, I think  
7 it's maybe possible like a tan. I can't say more.  
8 What else -- what kind of other description can I  
9 use?

10 Q. Whatever you recall. That's all I can  
11 ask you to do.

12 A. I think age-wise, around maybe 45 to  
13 50 years old, but I'm not certain it was Lyudmilla.

14 Q. I understand.

15 A. Because we didn't talk too long.

16 Q. All right. So I think you have just  
17 answered my next question. During that meeting in  
18 the hallway where you said you encountered this  
19 woman from HR, were any specifics about the terms  
20 of your employment discussed in the hallway?

21 A. As we were walking out of the office --  
22 if there were, I am not privy to it. I know that  
23 passing by, it was a very short, 30 to one minute  
24 -- 30 seconds to one minute conversation, this is

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1    blah-blah-blah-blah, new hire, but after that I  
2    proceeded -- Wilson proceeded to walk away. I  
3    think this person -- I stayed with Hideki until I  
4    left the building that day.

5           Q.    All right. And how soon after you  
6    walked out into the hall and encountered this woman  
7    did you leave the building?

8           A.    I think about an extra 30 minutes.

9           Q.    And during that extra 30-minute time,  
10   did you have any discussions with anyone about the  
11   conditions of your employment at your new job at  
12   Streamingedge?

13          A.    I think the terms -- what the job  
14   entails itself were discussed in the group setting,  
15   the initial group setting during that time, but I  
16   think all the other aspects, like miscellaneous  
17   aspect, I will call them, once the salary is agreed  
18   upon, starting date, which was to be two weeks  
19   after.

20           MR. MCDONALD: Tai, please just answer  
21   his question.

22           THE WITNESS: Okay.

23          A.    I don't recall any other detailed  
24   discussions. I don't remember.

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1 Q. Okay. Between the time that you had  
2 these meetings on the day that we've already talked  
3 about and the time that you started work at  
4 Streamingedge, did you have any contact of any type  
5 with anyone employed by Streamingedge?

6 A. I think I mentioned that there were --  
7 the day that came to mind specifically was the day  
8 I was to start working. I got a phone call like  
9 around maybe 11 or 12, sometime in the morning  
10 turning into the afternoon, from Hideki. And the  
11 first thing he said to me was, I'm on my way to  
12 Hong Kong, but you will be working with George  
13 Grievias [ph.], and some other support team. I  
14 won't be there, but everything that you need to do  
15 you will -- it's pretty fast, you learn it quickly.  
16 It's not going to be hard at all, but -- oh, by the  
17 way, the main reason I called you was to tell you  
18 that there's been a change in the negotiated and  
19 agreed-upon salary.

20 Q. And Hideki told you this?

21 A. Yes.

22 Q. And this was during a phone call?

23 A. Yes.

24 Q. All right. And did he say anything else



1 after he said what you just told me?

2 A. He told me that the salary will now be  
3 either 48 or around ballpark of 48. Whatever  
4 salary he gave me at that time was not what we  
5 agreed upon, and I proceeded to tell him that it  
6 would have been better to have known this prior to  
7 giving my prior employer notice that I was leaving  
8 and that why so late since I was to start working  
9 tomorrow morning. I said to him that -- the one  
10 thing I said was, let me think about this. I think  
11 even toward the end of the conversation I just let  
12 him know, I can't -- because I've been put in a  
13 situation where I would have a certain  
14 understanding, and at the last minute everything  
15 else I was basing my salary on was exactly  
16 everything we agreed upon.

17 And he said, well, I will have to tell  
18 you, I think -- okay. I will have to tell you that  
19 don't worry about the numbers here. We increase  
20 the salary. We expedite salaries based on  
21 performance. We compensate salaries very well. He  
22 was telling me how beneficial it would be for me to  
23 come on board. He was negotiating and telling me  
24 the reasons why I was coming on board and why I

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1 shouldn't worry about the numbers, the new salary  
2 number I had been quoted.

3 I think -- so I said to him, I'm sorry, I think --  
4 it didn't go well with me, and he hung up the  
5 phone. He said, okay, let me call you back.

6 Q. And this is Hideki?

7 A. Yes. Let me call you back. I have to  
8 talk to Mr. Nweke. About a half an hour later he  
9 calls me back, and says, okay, how about 53.  
10 Actually, how about 53. Yes. And I think I  
11 agreed. I said, okay, but he said this -- whatever  
12 we are -- whatever we are giving you now, be  
13 mindful that we will bring it back to what we  
14 agreed upon. We just want to see how you are as an  
15 employee and how you fit into our day-to-day  
16 operations. Don't worry about it. Don't even get  
17 hung up on the numbers. Once you start, we'll  
18 remunerate you based on, you know, your  
19 performance.

20 Q. And did Hideki say anything else?

21 A. That he was going to talk to Wilson, I  
22 think, so I think, like I told you, sir, before, he  
23 called me back later and said we also had periodic  
24 training. So if you wanted to school and apply --

1 additional package, if you wanted to go to school  
2 afterwards. We also have programs that give an  
3 employee an opportunity to brush up their career.

4 He told me this is not a job, this is a  
5 career, which I think you can excel in, and  
6 everything that you need, make sure you stay on  
7 track. As long as you, you know -- but you have to  
8 prove yourself once you start.

9 Q. And other than the phone discussions  
10 that you've already told me about, did you have any  
11 other phone discussions with Hideki on the day  
12 before you started work at Streamingedge?

13 A. Did I have prior to that?

14 Q. No. Other than having the phone  
15 discussions with Hideki on the day before you  
16 started work at Streamingedge which you've just  
17 discussed with me, did you have any other  
18 discussions on the phone or otherwise with anyone  
19 else on the day prior to the date that you started  
20 work at Streamingedge?

21 A. Yes.

22 Q. Who?

23 A. I believe it was Hideki also, because  
24 the day -- the starting date also was changed. I

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1 was to start immediately within two weeks, because  
2 they told me how much time you need to give to your  
3 employer. I told him two weeks' notice. He said,  
4 look, can you start -- they quoted a particular  
5 date to me. I don't remember exactly what they  
6 quoted to me. I said, well, it will be based on  
7 what I discussed with my former employer, my boss.  
8 He said, I don't want you to leave until I'm able  
9 to find somebody to help out on the project I'm  
10 working on. He said, okay, just get back to me  
11 soon. When I called back we agreed on a starting  
12 date. They still told me that there was still a  
13 few things they need to iron out.

14 So I think from the date I was hired, I  
15 remember -- I don't know exactly how long it took  
16 for me to -- from the day there was a verbal  
17 agreement that I was now hired. It was not exactly  
18 the same day that my expected date, starting date  
19 that I started. And I suspect that my  
20 conversations prior to my starting date must have  
21 been around, okay, when am I coming, when am I  
22 starting, just now -- just trying to ascertain what  
23 day exactly my starting day is. I think that's  
24 what -- that's what the conversation was about.

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1 Q. And those discussions about when exactly  
2 your starting date would be occurred between you  
3 and whom?

4 A. Hideki and I.

5 Q. And did you ever exchange any type of  
6 e-mails or other written correspondence with Hideki  
7 about your starting date?

8 A. I don't recall.

9 Q. Do you have any records, here or  
10 anywhere else, that would help you remember?

11 A. I don't recall, but I think there was --  
12 either I called to say thank you for offering me  
13 the position. Either it was a phone call or an  
14 e-mail, one of the two. I cannot tell you exactly  
15 what it is.

16 Q. Fine. Now, you indicated a little bit  
17 earlier that you received a written offer letter  
18 from Streamingedge.

19 A. Yes.

20 Q. And did that written offer letter set  
21 forth what your annual salary would be?

22 A. The day I started -- actually, two or  
23 three days after I started, I had already -- was  
24 when I got the offer letter.

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1 Q. Do you have a copy of that here or  
2 anywhere else?

3 A. I believe I do.

4 MR. REISMAN: Why don't we mark these  
5 documents collectively as Defendants' Exhibit  
6 A, and then maybe we'll break them out over  
7 time. They consist of 483 pages Bates  
8 stamped -- I'm sorry -- 484 pages Bates  
9 stamped.

10

11 (Defendants' Exhibit A,  
12 484 PAGES OF DOCUMENTS, was  
13 marked for identification.)  
14

15 Q. Mr. Olorode, I want to show you pages 62  
16 through and including 66 of Exhibit A, and please  
17 just take a look, and tell me if you recognize  
18 those documents.

19 MR. MCDONALD: I'm a little concerned  
20 with the marking all of the documents as one  
21 exhibit. It appears we haven't seen them  
22 all, but I'm a little concerned with marking  
23 484 pages of largely separate documents, it  
24 appears, as one exhibit and then --

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1 MR. REISMAN: Well, we can do  
2 sub-marking, if you want.

3 MR. MCDONALD: Yeah, I think I'd be more  
4 comfortable with that.

5 MR. REISMAN: So why don't we do that.  
6 So let's call pages 62 to 66, Exhibit A-1;  
7 how is that?

8 MR. MCDONALD: That's fine.

9  
10 (Defendants' Exhibit A-1,  
11 PAGES 62 TO 66, were marked  
12 for identification.)  
13

14 Q. Mr. Olorode, please take a look at  
15 Exhibit A-1, and tell me when you've had a chance  
16 to look --

17 A. Okay. The entire of the document.

18 Q. It's five pages.

19 A. Okay.

20 (Pause.)

21 MR. MCDONALD: I'm going to have to  
22 object to marking five separate e-mails as  
23 one exhibit, unless we want to acknowledge  
24 they're five separate e-mails with separate

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1 dates, which I think at least one, two,  
2 three, four, five different dates spanning  
3 from November 6, 2007, through February 7th  
4 of 2008.

5 MR. REISMAN: Off the record.

6  
7 (An off-the-record discussion was held.)  
8

9 MR. REISMAN: A-1 will be one page only.  
10 It will be an e-mail dated November 6th,  
11 2007; how is that?

12 MR. MCDONALD: Thank you.

13  
14 (Defendants' Exhibit A-1,  
15 E-MAIL DATED NOVEMBER 6TH, 2007,  
16 was remarked for identification.)  
17

18 Q. I'm sorry.

19 A. It's okay, sir.

20 Q. Please look at Exhibit A-1, Mr. Olorode,  
21 and tell me if you recognize that document.

22 A. Okay. It looks like the letter. I  
23 recognize it.

24 Q. All right. Do you recognize Exhibit A-1



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1 as a copy of an e-mail that you received dated  
2 November 6th, 2007, from an individual named Will  
3 O'Rourke?

4 A. It looks like it.

5 Q. And as of November 6, 2007, did you know  
6 who Mr. O'Rourke was?

7 A. Mr. Reisman, I think I forgot to mention  
8 the attachment -- the attached letter. That e-mail  
9 is referencing an attachment which is not included  
10 in the document you're holding.

11 Q. We'll get there. So do you -- let's  
12 just talk about the e-mail for now.

13 Do you -- as of November 6th, 2007, did you  
14 know Will O'Rourke to be a person employed by  
15 Streamingedge in their Toronto, Canada office?

16 A. If you notice -- no. Before that day,  
17 no.

18 Q. All right. So on November 6th, 2007, do  
19 you recall receiving the e-mail which has been  
20 marked as Exhibit A-1?

21 A. Yes, sir.

22 Q. All right. And attached to the e-mail  
23 was there some type of document, and I'm only  
24 quoting from the e-mail, called an offer letter?

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1 A. Yes.

2 Q. And did you read the offer letter on  
3 November 6th, 2007, or at some point after that?

4 A. At some point after that. I read it  
5 briefly. I think it was during the course of the  
6 day I started working.

7 Q. Okay. And do you recall how many days  
8 or weeks prior to November 6th, 2007, you had  
9 actually started working?

10 A. This was my second day. I believe I  
11 started working November 5th.

12 Q. All right. And did you sign this  
13 document that Mr. O'Rourke referred to as an offer  
14 letter?

15 A. I don't recall that there's a signature  
16 portion. If there is, I must have signed it. I  
17 don't recall that the offer letter had a place for  
18 me to sign, but if there is, I must have signed it.

19 Q. All right.

20 A. But, you know, I don't --

21 Q. I understand. Do you recall, as you sit here  
22 today, signing a document referred to by Mr.  
23 O'Rourke as an offer letter that accompanied  
24 Exhibit A-1?

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1           A.    I don't recall, but I think, ultimately,  
2   I already started working, so it was already -- I  
3   continued working there, so, in essence, I must  
4   have signed it. I don't have the document. I must  
5   have signed it.

6           Q.    Did you make a copy of the document or  
7   keep a copy of the document somehow either before  
8   or after you signed it?

9           A.    Possibly.

10          Q.    Do you have it in your possession here  
11   or anywhere else?

12          A.    It may -- it exists. It should still  
13   exist in my e-mail database.

14          Q.    All right. I'd ask that following the  
15   conclusion of this deposition, you make a search  
16   for the offer letter that obviously is referred to  
17   in Exhibit A-1.

18

19   DOCUMENT/INFORMATION REQUESTED:

20

21          Q.    Do you recall --

22          A.    Mr. Reisman?

23                MR. MCDONALD: There's no question  
24   pending.

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1 THE WITNESS: I'm sorry.

2 Q. Do you remember what types of  
3 information was contained on the offer letter? For  
4 example, did it give information about how much  
5 salary you would be paid on an annual basis?

6 A. I think I remember it quoted my starting  
7 salary.

8 Q. And what was the starting salary quoted  
9 in the offer letter?

10 A. The rearranged salary I was given the  
11 day before I started.

12 Q. And when you say "rearranged salary," is  
13 that the \$53,000 per year salary?

14 A. Yes.

15 Q. And in addition to the \$53,000 per year  
16 annual salary, did the offer letter indicate how  
17 many vacation days you would be entitled to per  
18 year, if any?

19 A. I don't recall.

20 Q. Did the letter indicate whether you  
21 would be permitted to participate in the company  
22 health insurance plan?

23 A. I don't recall.

24 Q. Did the letter indicate whether you

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1 would be entitled to receive any particular amount  
2 of bonus on an annual basis, either in particular  
3 numbers or in some type of percentage?

4 A. I don't recall, but I'm sure -- I don't  
5 recall.

6 Q. When you returned the offer to Mr.  
7 O'Rourke, did you keep a copy of it?

8 A. Like I said, it must exist somewhere on  
9 my e-mail records.

10 Q. All right. And when you returned it to  
11 him, did you keep some type of e-mail cover sheet  
12 or something similar?

13 MR. MCDONALD: Objection to the form.

14 A. E-mail cover sheet?

15 Q. In other words, did you e-mail the  
16 document back to him, or did you fax it back, or  
17 did you send it in the U.S. mail?

18 A. I don't recall. I think -- I may have  
19 handed it back to Wilson.

20 Q. On the first day that you started work  
21 at Streamingedge, did you have any meetings with  
22 the HR people?

23 A. No.

24 Q. At any point after your start date at

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1 Streamingedge, did you meet with any HR people?

2 A. On several occasions.

3 Q. Did you meet with HR people at any point  
4 after your first day of work for the purpose of  
5 discussing employee benefits such as health  
6 insurance?

7 A. On a few occasions. Maybe on two or  
8 three occasions. You mean throughout my  
9 employment, or are you talking about  
10 specifically --

11 Q. Right around the beginning of your  
12 employment, right around the time that you started.

13 A. No.

14 Q. At any point in time, did you ever have  
15 to meet with HR for the purpose of giving them  
16 information such as your social security number or  
17 for the purpose of filling out forms necessary to  
18 make payroll withholdings and things like that?

19 A. I think I did at some point.

20 Q. All right. And do you remember whether  
21 that was toward the beginning of the time that you  
22 worked at Streamingedge or at some point after  
23 that?

24 A. Towards the beginning. I think that

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1 also they call it a welcoming package, which  
2 includes --

3 MR. MCDONALD: Just answer his questions,  
4 please.

5 A. Yes.

6 Q. All right. You just mentioned something  
7 called "a welcoming package."

8 A. Yes.

9 Q. Can you tell me what the welcoming  
10 package consisted of?

11 A. I don't want to speculate, but I think  
12 maybe --

13 MR. MCDONALD: Don't speculate then if  
14 you're not sure.

15 A. -- ID card. It wasn't immediately, but  
16 I think also -- I had to give also a void check, a  
17 personal check for direct deposit.

18 Q. Right.

19 A. Nothing else. I mean, just -- I don't  
20 want to speculate. I don't remember. I think the  
21 ones that come to mind right away is payroll and  
22 the ID.

23 Q. Okay. All right. Do you have, in your  
24 possession, anywhere, a copy of the welcoming

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1 package that you just told me about?

2 A. I don't recall, but I had it at the  
3 time.

4 MR. MCDONALD: Tai, please just answer  
5 his questions.

6 Q. Was the welcoming package, was it in a  
7 loose-leaf notebook; was it in like a paper folder;  
8 did you receive it on a disk? How did you receive  
9 this welcoming package?

10 A. It was in an office envelope.

11 Q. And at some point in time after you  
12 began working at Streamingedg, did you ever  
13 receive an employee handbook?

14 A. No.

15 Q. At any point in time after you began  
16 working at Streamingedg, did you ever receive  
17 information about accessing an employee handbook  
18 online?

19 A. No. When you say "employee handbook" --

20 Q. Right.

21 A. -- what exactly --

22 Q. Well, a document which would explain the  
23 company policies of various types, information that  
24 would explain ways in which a person could complain



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1 if they believed they were being discriminated  
2 against based upon national origin, religion, race,  
3 or certain other things.

4 A. I think there was something that was  
5 handed over -- there was something handed over at  
6 some point, maybe eight months or six months into  
7 my employment. I believe that was when  
8 Streamingedge employees transitioned into Tradition  
9 employees.

10 Q. And when you say that you received  
11 something, in any of the jobs that you held prior  
12 to obtaining employment with Streamingedge, did you  
13 ever receive a document known as "personnel  
14 handbook"?

15 A. Yes.

16 Q. So would it be fair to say that -- and  
17 the personnel handbook that you had received prior  
18 to the time that you became employed by  
19 Streamingedge consisted generally of what types of  
20 information, as best you can recall?

21 A. You're asking -- are you asking me to  
22 make a comparison between that document and  
23 prior --

24 MR. MCDONALD: Tai, if you don't

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1 understand the question, please ask that it  
2 be clarified. Don't suggest your own  
3 question. Mr. Reisman gets to ask the  
4 question.

5 THE WITNESS: Sorry.

6 A. Sorry, Mr. Reisman.

7 Q. No problem. So the employee handbook  
8 that you received from one or more previous  
9 employers, to your recollection, what types of  
10 categories of information did they generally  
11 contain?

12 A. Typically, if -- like service level  
13 agreements, if we were working like in an  
14 institution where I was working at different client  
15 sites. They also included employee conduct.  
16 Sometimes they would talk about benefits,  
17 recognized holidays, national holidays, what is  
18 acceptable on the job, what kind of behavior,  
19 what's not acceptable. I think in some cases there  
20 have been times where they will give you specific  
21 numbers and specific contact personnel to contact  
22 in case you have grievances --

23 Q. Right.

24 A. -- and things of that nature. In terms

1 of also directives pertaining to different  
2 departments, in terms of who heads different areas,  
3 and, basically, just gives you an overview of  
4 operational structures within the organization.  
5 And sometimes they would include field offices, and  
6 maybe relationship with other company, like in case  
7 maybe if you have -- I think maybe if you have --  
8 if the company has parent company or if they have  
9 affiliates also. There have been times where some  
10 of them included outside office contacts, like -- I  
11 think there's even been times when press policy, so  
12 I think that's --

13 Q. All right. So at some point in time  
14 after you began your employment with Streamingedge,  
15 did you ever receive either a link to or a disc of  
16 or a hard copy of a personnel handbook containing,  
17 in sum and substance, the type of information that  
18 you just indicated you had seen in at least some of  
19 the personnel handbooks that you had received from  
20 prior employers?

21 A. No, if there was -- I think at some  
22 point that was when we transition from -- there was  
23 a point during my employment, maybe six months or  
24 eight months into my employment, Streamingedge

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1 employees became Tradition. We had to switch ID  
2 cards. Also, payroll was switched at that time.  
3 And I think also that was when I was also given my  
4 benefits, like in terms of health insurance, maybe  
5 six months into it they gave me health insurance.

6 Q. In other words, you began participating  
7 in the company health insurance plan?

8 A. Right. It was offered to me at that  
9 point. I had none prior to then. And I think -- I  
10 don't want to speculate. I don't -- I really don't  
11 recall anything of substance, really concrete about  
12 specific handbooks --

13 Q. Did you ever request one?

14 A. At some point I asked about one.

15 Q. And, approximately, when did you do  
16 that?

17 A. A year to my employment.

18 Q. And did you ask anyone in particular if  
19 there was a company employee handbook?

20 A. Yes.

21 Q. And who you did you speak to about that?

22 A. I spoke to Hideki, Jaballah also, and I  
23 think there were other co-workers, maybe two short  
24 conversations to try to figure out what the company

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1 policies as regards to day-to-day reporting.

2 Q. And at any point in time, did Hideki  
3 respond in any way to your inquiries about the  
4 existence of a personnel handbook?

5 A. No. If there was one, I think the  
6 answer they gave at that time was if there was one,  
7 Tradition didn't have one, but we don't have  
8 certain things here. People are busy. They don't  
9 have time to.

10 Q. Did you ever receive any type of answer  
11 from Mr. Jaballah about whether or not there was an  
12 employee handbook or something similar?

13 A. I think if you -- the answer is no. I  
14 think once you have asked two or three individuals  
15 and the answer is no, so you pretty much figure it  
16 out. It's not even something to ask -- if I've  
17 asked everybody, if there's none, there's none.

18 Q. Did you ever ask Ms. Faymann or anyone  
19 else in the HR office about a personnel handbook?

20 A. I must have toward the end of my  
21 employment.

22 Q. And when you say that you must have  
23 asked, what is it that -- what information is it  
24 that you're basing that answer upon?

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1 A. I'm sorry. Can you rephrase that, what  
2 information am I --

3 Q. Sure. How is it that you remember -- in  
4 other words, based on what conversation or other  
5 thing that refreshes your memory are you stating  
6 that you must have asked for a personnel manual  
7 from -- personnel handbook -- or employee handbook,  
8 I should say, from HR toward the end of your  
9 employment?

10 MR. MCDONALD: Objection to the form. I  
11 don't think he said -- I know he hasn't  
12 stated anything refreshed his memory.

13 Q. When you say that you, and I'm quoting,  
14 must have asked for an employee handbook toward the  
15 end of your employment with Streamingedge, that is  
16 based upon what fact or what discussion or what  
17 document or anything else?

18 A. You mean what document --

19 MR. MCDONALD: Objection to the form, but  
20 if you understand it, you can answer.

21 A. It wasn't based on a document. It was  
22 based on my experience after coming on board. I  
23 noticed that there was -- pretty much everything  
24 became ad hoc. There was no --

1 MR. MCDONALD: Tai, please just answer  
2 his question.

3 THE WITNESS: Okay.

4 Q. Is there a conversation that you  
5 remember that you had with somebody which leads you  
6 to the conclusion that you must have asked for a  
7 personnel handbook? Is there something else that  
8 you remember that leads you to that conclusion?

9 A. Right. I remember that my hours were  
10 becoming longer and longer, and my experience on  
11 the job was unlike any other employee at  
12 Streamingedge at the time. There was no  
13 guidelines. It's constantly trying to solicit  
14 information [potential] to my relationship with the  
15 company, in trying to find out exactly what I'm  
16 entitled to in terms of -- as an employee. I think  
17 when I started to do that, I started to get sick a  
18 lot, and I noticed that I was reporting much  
19 earlier than some people than majority of the  
20 employees. These people also came, and they still  
21 left me at work and went home.

22 Q. So based on this, when you say that you  
23 must have asked for an employee handbook, whom did  
24 you ask for the employee handbook, if anyone?

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1 A. First, I think I mentioned it to Wilson.

2 Q. Who?

3 A. I asked Wilson at one point.

4 Q. And when was that?

5 A. This was about a year into my  
6 employment. And I believe I spoke with Will  
7 O'Rourke on the phone also.

8 Q. The gentleman in Toronto?

9 A. Exactly.

10 Q. And you asked him for a personnel  
11 handbook?

12 A. Yes. There was a time, a specific time,  
13 I remember that they -- he came to New York.  
14 There's a general board meeting, and around the  
15 same time was a time where Streamingedge employees  
16 became Tradition employees, and that's what I  
17 understand at the time. So he happened to be in  
18 the building. This is somebody I spoke to on the  
19 phone, but for the first time I met him in person  
20 and I asked him -- because along that time also  
21 there were new benefit information that I had to  
22 sign and give back to Tradition. I had to fill out  
23 -- it was a total package at that time, so I  
24 figured let me ask him since I wasn't getting



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1 answers or the right answers from anybody around  
2 me.

3 Q. And so what did you ask Mr. O'Rourke  
4 for?

5 A. I asked him also for a copy of my  
6 initial contract, because you see the offer letter  
7 and the contract were two separate things. I don't  
8 even think I got my contract to even put a pen to  
9 it until maybe a month or two or three months into  
10 my employment with the company. There was so many  
11 things that seemed to me out of synch with what I  
12 understood in terms of employer-employee  
13 relationship, and that's when I started to ask  
14 questions.

15 Q. And that was about when, approximately?

16 A. I think the first time I felt  
17 comfortable to ask Will in person was when he came  
18 into the office six months or eight months into my  
19 employment.

20 Q. And did you ever follow up with him  
21 after you spoke to him in person?

22 A. I have already spoken to him once.

23 Q. No, I mean about asking for the --

24 A. Employee?

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1 Q. Right. For a handbook or something like  
2 that.

3 A. I mean, he already gave me an answer.

4 Q. What was his answer?

5 A. Which was if we find one I will get it  
6 to you through Wilson.

7 Q. And after that discussion, did you ever  
8 have any other communications of any kind with Mr.  
9 O'Rourke about getting the handbook?

10 A. No.

11 Q. Did you have any discussions with  
12 anybody else about getting the handbook?

13 MR. MCDONALD: Objection to form.

14 Q. Other than the people that we've already  
15 talked about.

16 A. Several occasions with Hideki Okubo.

17 Q. And when was the last time during your  
18 employment that you asked Hideki Okubo for an  
19 employee handbook?

20 A. I don't recall exactly the specific day  
21 and time.

22 Q. Do you recall the year?

23 A. '09. Probably '09. 2009.

24 Q. And did Hideki respond at all to your

1 request?

2 A. If he responded, there was -- I think I  
3 even -- if he responded, he simply responded that  
4 there was no such thing within Streamingedge. And  
5 I remember, again, there was a board meeting with  
6 Yan Huillier was appointed as one of the management  
7 of Streamingedge.

8 Q. And when was this, approximately, if you  
9 recall?

10 A. This was two or three weeks before I was  
11 let go from Streamingedge. It was in a meeting, a  
12 general meeting where they called Streamingedge  
13 employees to let us know that the new -- to let us  
14 know what the new structure is or in terms of the  
15 direction of the company and everything else. I  
16 asked him in that meeting because they said whoever  
17 had questions get up and raise up your hand, and I  
18 -- every employee that I can recall, my co-workers  
19 were sitting with me in the conference room when I  
20 raised up my hand and asked if there were  
21 guidelines, specific guidelines or detailed  
22 documentation somewhere that tells us exactly what  
23 the code of conduct is on the job or what our  
24 relationship -- how exactly to go about it on the

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1 job.

2 Q. So you asked Mr. Huillier about this?

3 A. Yes, I raised up my hand.

4 Q. All right. And when you say you were in  
5 a conference room, was that the conference room at  
6 the Streamingedge offices or somewhere else?

7 A. It's within Tradition/Streamingedge  
8 offices.

9 Q. And about how many people were present  
10 for that particular meeting?

11 A. I can't recall, but I can tell you that  
12 every -- most employees were advised of this  
13 meeting that you had to be there.

14 Q. Okay. And were -- just trying to get an  
15 idea of the numbers, did the meeting consist of  
16 more or less than 20 people?

17 A. Around that figure.

18 Q. And do you recall whether Mr. Nweke was  
19 present at the meeting?

20 A. Yes.

21 Q. How about Mr. Okubo?

22 A. Yes.

23 Q. Mr. Jaballah?

24 A. Probably, yes.

1 Q. How about Mr. Revis?

2 A. Probably.

3 Q. And during that meeting, did Mr.  
4 Huillier indicate, in words or substance, what the  
5 future of or the direction of the company would be?

6 A. No. I think it was more of an  
7 introduction to --

8 MR. MCDONALD: Please just answer his  
9 questions.

10 A. No. When you say "direction," what do  
11 you mean? I'm sorry.

12 Q. Well, you had mentioned that there was a  
13 meeting called at the time that Mr. Huillier became  
14 the -- I forget exactly what title you mentioned --  
15 the head of Streamingedge, and one of the things  
16 that was discussed was the direction of the  
17 company, so I'm just asking you what specifically  
18 was discussed at that meeting with respect to the  
19 direction of the company.

20 A. I think it's more about product and  
21 services of the company, and also attachment, the  
22 way it fits in the hierarchy of Streamingedge, and  
23 in connection to the parent company -- the global  
24 parent company, Tradition USA, and also how -- his

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1 background before he came, more like an  
2 introduction.

3 Q. Right.

4 A. And also how his vision -- I think his  
5 vision for our division at that time, to make it  
6 more of an efficient organization.

7 Q. And when he used -- when he said -- or  
8 when you used the word "efficient," what did Mr.  
9 Huillier say in that record about making  
10 Streamingedge more efficient organization or  
11 company?

12 A. I don't recall exactly what he said, but  
13 I think some of the words that jumped at me were --  
14 I mean, this was not meant to be -- this was more  
15 like an address just -- it wasn't meant -- it  
16 wasn't meant as a Q-and-A situation. It was more  
17 like a briefing. It was more like introducing  
18 himself to the staff. So, basically, it was just  
19 more like a simple information session. I think it  
20 lasted maybe about 15 minutes. I think I -- if  
21 anybody -- I was the only person -- maybe there was  
22 somebody else who asked a question that day.

23 Q. What question did you ask?

24 MR. MCDONALD: Other than what he's

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1 testified to already?

2 A. I mentioned that already before, sir.

3 Q. You mean about the --

4 A. Employee handbook.

5 Q. Okay.

6 A. And what the guidelines were in place.

7 Q. Okay. And you're saying that Mr.

8 Huillier didn't give you an answer during that  
9 meeting?

10 A. I think he simply looked at Wilson and  
11 said employees asking this kind of question -- I  
12 think he jovially responded like if you're asking  
13 that kind of question right about now, something is  
14 wrong. I think he mentioned something like that,  
15 if you're asking that kind of question, something  
16 is wrong. You should not -- you should be talking  
17 to Wilson or admin and all the rest. So this is  
18 part of what we're here to do, to make it much more  
19 -- this is not a question that you should be posing  
20 in this setting.

21 Q. Do you know if by any chance that  
22 meeting was videotaped or recorded in any way?

23 A. I do not know if it was.

24 Q. Do you know whether anybody on behalf of

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1 the company was asked to take notes about the  
2 meeting or minutes?

3 A. I don't recall.

4 MR. REISMAN: Let's mark this document as  
5 Exhibit B.

6  
7 (Defendants' Exhibit B,  
8 HANDBOOK, was marked  
9 for identification.)

10

11 Q. Mr. Olorode, I'm going to show you a  
12 document that has been marked for identification as  
13 Defendants' Exhibit B. Just so that we can  
14 identify it for the record, it says on the first  
15 page employee handbook Streamingedge, and then  
16 there's some other language on it. And just so  
17 that nobody has the feeling that there are any  
18 tricks afoot, on the second path at the bottom it  
19 says November 2010.

20 Anyway, please take a look at Exhibit B, and  
21 tell me if you ever received a handbook, an  
22 employee handbook, of the type shown in Exhibit B  
23 during your employment at Streamingedge.

24 A. The answer is no. This never existed,



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1 to my knowledge, in the company at that time.

2 Q. All right.

3 MR. MCDONALD: Just for the record, this  
4 is marked -- it appears to be defendants'  
5 Bates range 179 through 214.

6 MR. REISMAN: I can agree to that.

7 Q. Mr. Olorode, on page -- withdrawn.

8 At any point in time after you began  
9 working for Streamingedge, did you ever receive a  
10 link to or a hard copy of an employee handbook  
11 which had on the front page instead of the word  
12 "Streamingedge," the word "Tradition" or "Tradition  
13 Group" or anything similar?

14 A. No.

15 MR. MCDONALD: Just answer his question.

16 Q. On page 4 of Exhibit B, there are two  
17 headings: One of them says "general conduct and  
18 workplace rules," and then down toward the bottom  
19 of the page, there's another heading that says  
20 "workplace behavior policy," and then in  
21 parenthesis, anti-mistreatment,  
22 anti-discrimination, and anti-harassment policy.  
23 And I'll show page 4 of the handbook which is Bates  
24 stamped page 185. Please take a look, and tell me

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1 when you're done.

2 (Pause.)

3 A. It didn't exist, no -- I'm sorry.

4 Q. At the time that you began working at  
5 Streamingedge, were you ever shown or directed in  
6 any way to any policies promulgated by  
7 Streamingedge of the type shown on the pages of  
8 Exhibit B that I just directed you to?

9 MR. MCDONALD: I'm going to object as  
10 asked and answered, but you can answer again.

11 A. If I ever seen anything that's similar  
12 to this before?

13 Q. After the time you started working at  
14 Streamingedge.

15 A. No.

16 Q. At any point prior to the time that you  
17 left Streamingedge, did you ever see any policy  
18 language of the type shown on those pages contained  
19 in documents provided to you or referred to you by  
20 Tradition?

21 MR. MCDONALD: Objection to form. You  
22 can answer if you understand it.

23 A. Provided to me by Tradition? You're  
24 saying this document, did I ever see it after I

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1 left?

2 Q. No, before you left.

3 A. No.

4 MR. REISMAN: Let's call this Exhibit C.  
5 This is under plaintiff's Bates stamp pages  
6 number 77 through and including 86.

7  
8 (Defendants' Exhibit C,  
9 EMPLOYER AGREEMENT, was  
10 marked for identification.)  
11

12 Q. Mr. Olorode, please look at Exhibit C,  
13 and tell me when you're done.

14 (Pause.)

15 A. I'm note able to read the entire of it,  
16 but it appears to be --

17 MR. MCDONALD: There's no question.

18 A. I recognize it.

19 MR. MCDONALD: There's no question.

20 Q. Do you recognize Exhibit C to be a true  
21 and accurate copy of an employment agreement dated  
22 as of, it looks like, November 5, 2007, between  
23 Streamingedge and yourself?

24 MR. MCDONALD: I would ask the witness to

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1 be handed the document again.

2 MR. REISMAN: Of course.

3 A. I think if you -- I have not read --  
4 this is a ten-page contract. It appears to be --  
5 the front cover of the first page appears to be my  
6 contract.

7 MR. MCDONALD: I'll also just object to  
8 the characterization on the date. I'm not  
9 sure the date is legible, at least not to me,  
10 and the signature is actually  
11 November 16th --

12 A. November 16th.

13 MR. MCDONALD: -- not November 5. I see  
14 the top. I don't know if can I read that as  
15 a 5. I don't know what that says. If Mr.  
16 Olorode can, he may be able to. I will  
17 acknowledge it's a single digit, if that  
18 helps.

19 MR. REISMAN: All right. So can we have  
20 an agreement that the first page of Exhibit C  
21 indicates, and I'm just quoting the first  
22 paragraph, this agreement made and entered  
23 into as of the blank day of November 2007,  
24 the date being a single digit in

1 November 2007.

2 MR. MCDONALD: Yes.

3 MR. REISMAN: By and among Streamingedge  
4 and Taiwo Olorode, and I didn't read the  
5 whole paragraph; I paraphrased it.

6 MR. MCDONALD: Yes, we can agree that is  
7 the substance of the paragraph.

8 A. It looks like --

9 MR. MCDONALD: There's no question  
10 pending, Tai.

11 A. I can see the front cover.

12 MR. MCDONALD: Tai, that means don't  
13 speak.

14 THE WITNESS: Sorry.

15 Q. Do you recognize Exhibit C to be a true  
16 and accurate copy of the employment agreement that  
17 you signed on November 16, 2007, between  
18 Streamingedge and yourself?

19 MR. MCDONALD: I caution you before you  
20 answer if you can read the document and the  
21 signature.

22 A. I cannot. It's going to take me time to  
23 review. This is a ten-page document. However, on  
24 the face of this, it clearly states employment

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1 agreement as you stated before, Mr. Reisman, and I  
2 am not able to read every word for word. It's a  
3 ten-page document. But I think I'm in agreement  
4 with the cover, the first page. The first page of  
5 the contract, I can see it. Whether it's the same  
6 one that I signed that day, whether it's a true  
7 copy, I am not able to -- I cannot say that. I  
8 would have to hold both next to each other to  
9 compare if it is a true copy, but, generally, the  
10 title of the document says employment agreement.

11 Q. Do you have a copy of Exhibit C in your  
12 possession somewhere?

13 A. That's a possibility.

14 Q. At some point in time prior to --  
15 withdrawn.

16 MR. MCDONALD: I'm willing to -- we can  
17 stipulate that the Bates stamps are our Bates  
18 stamps and if -- I have absolutely no reason  
19 to believe Mr. Reisman would play with the  
20 document without reading the ten single  
21 pages. We can agree this is from plaintiff's  
22 production. If at some point it appears that  
23 somehow something got changed, we'll note it,  
24 but, otherwise, we can proceed, if that

1 helps.

2 MR. REISMAN: That will help make things  
3 go slightly faster.

4 Q. Mr. Olorode, on the first page, I'm  
5 going to turn Exhibit C to its side, and I see a  
6 signature. And underneath the signature is the  
7 typewritten words, and I'm quoting, Taiwo Olorode,  
8 and underneath it says employee; do you see that?

9 A. That is correct.

10 Q. And do you recognize the writing in  
11 script above the printed --

12 A. Yes.

13 Q. -- name to be --

14 A. My name.

15 Q. -- your signature?

16 A. My first name and my last name.

17 Q. And then on each of the pages that come  
18 after the first page, except for the last page,  
19 there are signatures sideways in comparison with  
20 the text of the agreement which, again, has the  
21 printed word Taiwo Olorode and, above them, what  
22 appear to be photocopies of signatures. And I'm  
23 referring to Bates stamped pages 78, 79, 80, 81,  
24 82, 83, 84, and 85.

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1           So if you take a quick look, can you just  
2 tell me whether the handwritten sideways signature  
3 appears to be yours, is a photocopy of your  
4 signature on each page.

5           A.    Yes.

6           Q.    Then on the last page, sir, of Exhibit  
7 C --

8           A.    Yes, sir.

9           Q.    -- there is a line, again, with the  
10 printed word Taiwo Olorode and, above it, something  
11 in handwriting. Is the something in handwriting  
12 your signature?

13          A.    That is correct.

14          Q.    All right. Can you tell me, if you  
15 recall, how many days or weeks or hours prior to  
16 the date that you signed Exhibit C, the original,  
17 that you actually received the document?

18          A.    Can you rephrase the question, Mr.  
19 Reisman. I'm sorry.

20          Q.    Sure. How far in time before you signed  
21 the original of Exhibit C did you receive it?

22          A.    Instantaneously. I think I -- the same  
23 day I received it. I think I was -- there was  
24 specific instructions pertaining to the document



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1 which I had to adhere to.

2 Q. And when you say that there were  
3 specific instructions, what was the nature of the  
4 instructions that you received?

5 A. Sign it and give it to Mr. Nweke, or  
6 have Mr. Nweke present, you sign it, he's going to  
7 sign it.

8 Q. All right. And who gave you the  
9 instructions, if you recall?

10 A. Mr. O'Rourke.

11 Q. And did you receive Exhibit C -- or the  
12 original, I should say, by e-mail or by some other  
13 means?

14 A. I don't recall.

15 Q. And when you received Exhibit C, prior  
16 to signing it, did you read it?

17 A. Barely. There are so many legal terms  
18 in there that it did not seem to be -- doesn't make  
19 a lot of sense to me. There are so many things  
20 line by line that were said in the contract that I  
21 think my general understanding was, okay, I'm being  
22 employed, this is the terms of the employment.  
23 I've already started working. So, in essence, to  
24 me, it's more like a formality to me, so I just

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1 signed it. I think also I had been asking for it,  
2 actually, and I signed it and I think -- with  
3 Wilson present and the instruction was I would  
4 endorse it and send it to -- give you a copy, and  
5 Will will give you my signed copy back, which never  
6 came.

7 Q. Now, Exhibit C, your attorney indicated  
8 a moment ago that this is a copy that was provided  
9 to my office from your attorney's office. Did you  
10 provide a copy of this document, Exhibit C, to your  
11 attorney?

12 A. Yes, I did.

13 Q. And where did you get it from?

14 A. Out of my records in terms of -- I think  
15 HR gave it to me on the last day.

16 Q. On the last day of your employment --

17 A. Yes.

18 Q. -- at Streamingedge?

19 A. Yes, I demanded for that throughout my  
20 tenure.

21 MR. MCDONALD: You answered the question,

22 Tai.

23 Q. You said you threw out what? I'm sorry.

24 A. I demanded for it.

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1 Q. Correct. But prior to that I think you  
2 had said you threw something out.

3 A. No. No. I said "throughout."

4 Q. Oh, throughout.

5 A. Throughout. I'm sorry about my accent.  
6 I'm very sorry.

7 Q. It's okay. So you're telling me that  
8 throughout the time of your employment you were  
9 demanding a copy of the agreement?

10 A. On occasions I demanded, because there  
11 were employees there that were hired after me  
12 whom --

13 MR. MCDONALD: You answered the question,  
14 Tai.

15 A. Yes, I did.

16 Q. All right. And is there any particular  
17 reason why after you signed it and throughout the  
18 time of your employment you were asking to receive  
19 a copy of your employment agreement?

20 A. Was there any reason why I was asking?

21 Q. Right.

22 A. It was just as important to me as every  
23 work that I do there every day. It outlines my  
24 relationship with my employer.

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1 Q. I understand. And when you say that you  
2 were asking for a copy of the agreement throughout  
3 the time you were employed, who did you ask to  
4 receive the copy? In other words, who did you  
5 speak to to get that copy?

6 A. This is one of those conversations I've  
7 had with Will. I've had this discussions also  
8 about it with Wilson. And he just would constantly  
9 tell me, call Will; anything pertaining to this,  
10 call Will. Now, when I call Will, Will usually  
11 tells me whatever your employment contract -- all  
12 we do here is keep records. Whatever -- you can  
13 always -- once it's available, I will have to look  
14 in the records somewhere, and I will make it  
15 available to you.

16 Q. Did he ever do that?

17 A. I got an updated one. They sent me an  
18 updated one, but not exactly this one. I got this  
19 one on my last day.

20 Q. Exhibit C, you mean?

21 A. I got Exhibit C on my last day.

22 Q. And after you signed Exhibit C, which  
23 according to the document is dated under your  
24 signature, November 16th, 2007, did you sign

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1 another employment agreement with Streamingedge?

2 A. There was another employment agreement,  
3 yes.

4 Q. And do you remember how long after you  
5 signed Exhibit C you signed the second agreement,  
6 if at all?

7 A. It must have been either five or  
8 six months into my employment.

9 Q. At the time -- I know I asked you this  
10 before, but -- withdrawn.

11 At the time that you signed Exhibit C,  
12 did you understand Paragraph 4, which is on Bates  
13 stamped page 78, which says, and I'm quoting,  
14 during the term of employment, the employee shall  
15 be paid a base salary of \$53,000, U.S. dollars, per  
16 annum, and then it goes on? Did you --

17 MR. MCDONALD: Please look at the  
18 document.

19 A. What paragraph?

20 Q. Paragraph 4.

21 A. Are you asking if -- I'm sorry. Can you  
22 repeat your question, sir. I'm sorry.

23 Q. When you signed Exhibit C, did you  
24 understand or were you aware of Paragraph 4 which

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1 indicates in part, and I'm quoting, during the time  
2 of employment, the employee shall be paid a base  
3 salary of \$53,000, U.S. dollars, per annum, and I'm  
4 ending the quote, and it goes on.

5 A. Did I understand it?

6 Q. Yes.

7 A. I think -- I didn't look into it. To my  
8 knowledge, I understood it already. The idea is I  
9 already have started working here. This is a  
10 formality -- prior -- this is --

11 MR. MCDONALD: Tai, just answer the  
12 question that was asked.

13 A. Okay. So I understood it, but I didn't  
14 read it because, basically, the instruction was to  
15 -- I understood it, yes.

16 Q. So did -- so the agreement was given to  
17 you, and you were instructed to sign it; correct?

18 A. Uh-huh.

19 Q. Other than saying sign it, did anybody  
20 else employed by Streamingedge say anything else to  
21 you at or about the time that the contract was  
22 presented to you?

23 A. I believe Mr. O'Rourke. I said that  
24 earlier, sir. Mr. O'Rourke. Other than -- I'm

1       sorry. I don't want to answer the wrong question.

2           Q.     It's okay. No. So other than saying to  
3       you, in form or substance, sign it, did anybody  
4       from Streamingedge say anything else? In other  
5       words, the agreement is presented to you, somebody  
6       said sign it, and was that all they said, or did  
7       they say something else?

8           A.     Wilson -- Mr. O'Rourke told me, give it  
9       to Wilson. You will sign it and a copy will be  
10      returned to you and a copy will be faxed to Toronto  
11      office.

12          Q.     To the Toronto office?

13          A.     Yes, where he is located.

14          Q.     Other than that, was anything else said  
15      to you?

16          A.     Pertaining to the contract?

17          Q.     Right.

18          A.     I don't recall.

19          Q.     Do you have anything of any type, here  
20      or anywhere else, that would help you remember?

21          A.     If there was anything else said to me?

22          Q.     Right.

23          A.     I don't -- I don't think so. I don't  
24      recall.

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1 Q. All right.

2 MR. REISMAN: Please mark this as Exhibit

3 D.

4

5 (Defendants' Exhibit D,

6 STREAMINGEDGE EMPLOYMENT

7 FORM, was marked for

8 identification.)

9

10 Q. Mr. Olorode, please look at Exhibit D.

11 It is six pages long. Across the top, just for

12 reference purposes, it says Streamingedge, and then

13 underneath it says employment form. Please tell me

14 if you recognize this as a document that you filled

15 out in connection with your employment by

16 Streamingedge.

17 (Pause.)

18 MR. MCDONALD: Just note this document

19 doesn't appear to be Bates stamped.

20 MR. REISMAN: It's not.

21 MR. MCDONALD: Was it produced

22 previously.

23 MR. REISMAN: I think so. Off the

24 record.



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1  
2 (An off-the-record discussion was held.)  
3

4 BY MR. REISMAN:

5 Q. Mr. Olorode, do you recognize Exhibit D  
6 as an employment form that you filled out at some  
7 point in time in connection with your employment at  
8 Streamingedge?

9 A. Yes.

10 Q. And do you recognize the handwritten  
11 portions of the document to be your handwriting?

12 A. Yes.

13 Q. And it indicates here at the bottom that  
14 it was signed on November 9th, 2007. Is that your  
15 signature?

16 A. Yes.

17 Q. Okay.

18 MR. REISMAN: Off the record.  
19

20 (An off-the-record discussion was held.)  
21

22 MR. MCDONALD: So our position would be  
23 that so far I think we've done about five  
24 hours today would be a fair estimate. We

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1 would like to finish today, but we understand  
2 it's an issue, so we're prepared to come back  
3 for an additional two hours to complete the  
4 deposition as long as we agree it would only  
5 be the balance of the seven hours the  
6 defendant is entitled to under the rules and  
7 not more than that.

8 MR. REISMAN: I can't really agree to  
9 that. I can agree to be reasonable as I've  
10 tried to be. I think that there have been  
11 some difficulties in getting the testimony  
12 out, and I'm not trying to cast dispersions,  
13 but it certainly would not be my intent to go  
14 another ten hours or anything like that. I  
15 would certainly intend to finish in a day;  
16 meaning, six or seven business hours or less.  
17 I certainly don't plan to spill over into  
18 multiple days.

19 MR. MCDONALD: We will not agree to that.  
20 The defendant is entitled to seven hours of  
21 deposition time. Mr. Olorode has been here  
22 and has been cooperative and tried to answer  
23 the questions, I think, honestly, truthfully  
24 to the best of his ability as best as I can

1 tell. I know there's a lot of time spent on  
2 things today. I don't think that was  
3 plaintiff's fault. I'm not going to question  
4 the defendant's choice of testimony or the  
5 manner in which it was taken, but I don't  
6 think that the plaintiff has done anything  
7 but been cooperative today, so I don't see  
8 the justification for more than a seven-hour  
9 deposition.

10 MR. REISMAN: I think what we should do  
11 is contact the court and see if we can  
12 resolve it. I don't know if they're  
13 available to take our call now, but maybe we  
14 should do it.

15 MR. MCDONALD: Okay. I'm happy to do it  
16 now, if you'd like. I'm also happy to -- if  
17 you want to do it at a later date, obviously,  
18 we're going to need the extra time  
19 regardless, and we're not going to stay here  
20 for more than seven hours on the record as it  
21 stands. So I mean, I'm not sure there's an  
22 urgency to it, but I'm happy to call the  
23 court while we're here, if that's what the  
24 defendant would like.

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1 MR. REISMAN: Why don't we go off the  
2 record for a second.

3 MR. MCDONALD: Sure.

4  
5 (An off-the-record discussion was held.)  
6

7 MR. REISMAN: So Mr. McDonald and I just  
8 made a call to Judge Daniels's chambers to  
9 try to discuss and resolve the issue of  
10 whether or not we would be entitled to have  
11 more than two hours to finish Mr. Olorode's  
12 deposition. The clerk who answered the  
13 phone, whose name, unfortunately, we didn't  
14 get, indicated that both Judge Daniels and  
15 the other clerk assigned to Judge Daniels,  
16 who happens to be assigned to this case, were  
17 unavailable, so the agreed-upon protocol is  
18 that I will fax a letter to Judge Daniels  
19 this coming Monday, which is December 3rd,  
20 requesting additional time and explaining my  
21 reasons why. Mr. McDonald will have an  
22 opportunity to respond to that request, and  
23 then the court will let us know whether we  
24 can have two hours to complete the deposition

1 or not. We also agree that while we have  
2 tentatively scheduled the continued  
3 deposition of Mr. Olorode for Wednesday,  
4 December 5th, if we don't have the court's  
5 response prior to that date, we will, by  
6 mutual agreement, set another date for the  
7 completion of Mr. Olorode's deposition.

8 MR. MCDONALD: I would agree with that,  
9 and just note the only clarification being I  
10 think you may have misspoken on the two-hour  
11 point. You'll absolutely have a minimum of  
12 two hours. The issue is whether you have  
13 more than two hours. I think you said two  
14 hours or not. Two additional hours  
15 regardless.

16 MR. REISMAN: Oh, okay. Maybe I wasn't  
17 clear.

18 MR. MCDONALD: I'm not trying to word  
19 play and be prejudice.

20 MR. REISMAN: I understand.

21 MR. MCDONALD: So two hours at a minimum,  
22

23 (Continued on next page.)  
24

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1           and then the court will decide if the  
2           defendant has more than two hours.

3           MR. REISMAN: Very good. Thank you.

4           MR. MCDONALD: No problem.

5

6

7           (Time noted: 4:41 p.m.)

8

9

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200

1 STATE OF NEW YORK )

2 ss:

3 COUNTY OF )

4  
5  
6 I, TAIWO OLORODE, hereby certify that I have  
7 read the pages of the foregoing testimony of this  
8 deposition and hereby certify it to be a true and  
9 correct record.

10  
11  
12  
13 \_\_\_\_\_  
14 TAIWO OLORODE  
15  
16  
17  
18

19 Sworn to before me this  
20 \_\_\_\_ day of \_\_\_\_\_, 2012.  
21  
22

23 \_\_\_\_\_  
24 Notary Public

1	I	N	D	E	X		
2							
3	EXAMINATION BY			4		8	
4	MR. REISMAN:						
5							
6	DOCUMENT/INFORMATION			20		16	
7	REQUESTED:						
8	DOCUMENT/INFORMATION			24		21	
9	REQUESTED:						
10	DOCUMENT/INFORMATION			26		9	
11	REQUESTED:						
12	DOCUMENT/INFORMATION			27		12	
13	REQUESTED:						
14	DOCUMENT/INFORMATION			31		19	
15	REQUESTED:						
16	DOCUMENT/INFORMATION			48		20	
17	REQUESTED:						
18	DOCUMENT/INFORMATION			66		10	
19	REQUESTED:						
20	DOCUMENT/INFORMATION			73		8	
21	REQUESTED:						
22	DOCUMENT/INFORMATION			74		16	
23	REQUESTED:						
24							



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1	DOCUMENT/INFORMATION	75	23
2	REQUESTED:		
3	DOCUMENT/INFORMATION	77	11
4	REQUESTED:		
5	DOCUMENT/INFORMATION	156	19
6	REQUESTED:		
7			
8	(Defendants' Exhibit A, 484	151	11
9	PAGES OF DOCUMENTS, was marked		
10	for identification.)		
11			
12	(Defendants' Exhibit A-1,	152	10
13	PAGES 62 TO 66, were marked		
14	for identification.)		
15			
16	(Defendants' Exhibit A-1,	153	14
17	E-MAIL DATED NOVEMBER 6TH,		
18	2007, was remarked for		
19	identification.)		
20			
21	(Defendants' Exhibit B,	177	7
22	HANDBOOK, was marked for		
23	identification.)		
24			

1 (Defendants' Exhibit C, 180 8  
2 EMPLOYER AGREEMENT, was marked  
3 for identification.)  
4

5 (Defendants' Exhibit D, 193 5  
6 STREAMINGEDGE EMPLOYMENT FORM,  
7 was marked for  
8 identification.)  
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C E R T I F I C A T I O N

STATE OF NEW YORK )  
 ) ss.  
COUNTY OF )

I, LEEANN BERTORELLI, Court Reporter  
and Notary Public within and for the County of  
Westchester, State of New York, do hereby certify:

That I reported the proceedings that  
are hereinbefore set forth, and that such  
transcript is a true and accurate record of said  
proceedings.

AND, I further certify that I am not  
related to any of the parties to this action by  
blood or marriage, and that I am in no way  
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand.

*Leeann Bertorelli*

LEEANN BERTORELLI

Court Reporter

## TAIWO OLORODE

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## 1 ERRATA SHEET

2 Deposition of: TAIWO OLORODE

3 Re: TAIWO OLORODE vs. STREAMINGEDGE, INC., et al.

4 Date Taken: November 30, 2012

5 Page Line # Correction Reason

6 \_\_\_\_\_

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16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 TAIWO OLORODE

20 Sworn to before me this

21 \_\_ day of \_\_\_\_, 2012.

22 \_\_\_\_\_

23 Notary Public

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<b>\$</b>	<b>22:6</b>	<b>90:9</b>	<b>agree (14)</b>	<b>America (1)</b>
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139:17	62:20,23;86:20;88:1;	<b>additional (4)</b>	<b>AGREED (15)</b>	81:12,18;82:8,12,19;
<b>\$40 (1)</b>	90:8;93:19,20;118:8	148:1;195:3;	3:1,6,10;54:5,6;	83:2,7,9,11;84:1;
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22;132:3	<b>account (9)</b>	<b>adhere (1)</b>	27:7,10,17;29:21,	158:1
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November 30, 2012

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